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Dated: February 6, 2006

Signature:

(Juan Quintero)

Docket No.: 30187/41217  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Martin Kintrup et al.

Application No.: 10/533,618

Filed: October 29, 2003 as PCT/EP2003/012011

For: Means and Methods for Diagnosing a Treponema  
Infection

Confirmation No.: 1749

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper and the materials enclosed herewith are filed in response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office" mailed December 6, 2005. Accompanied herewith is a copy of the Notice; an executed declaration of the inventors, in compliance with 37 C.F.R. §1.497(a) and (b), and a check in the amount of \$130.00 covering the surcharge for providing the declaration later than 30 months from the priority date. This response is timely filed.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30187/41217. A duplicate copy of this paper is enclosed.

Dated: February 6, 2006

Respectfully submitted,

By Jeanne M. Brashèar  
Jeanne M. Brashèar

Registration No.: 56,301  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. Wacker Drive, Suite 6300  
Sears Tower  
Chicago, Illinois 60606-6357  
(312) 474-6300  
Agent for Applicant

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,618	Martin Kintrup	30187/41217

INTERNATIONAL APPLICATION NO.
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PCT/EP03/12011

I.A. FILING DATE	PRIORITY DATE
10/29/2003	10/29/2002

4743  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. WACKER DRIVE, SUITE 6300  
SEARS TOWER  
CHICAGO, IL 60606

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DEC 14 2005

MARSHALL GERSTEIN

CONFIRMATION NO. 1749

371 FORMALITIES LETTER



\*OC000000017130816\*

Date Mailed: 12/06/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/29/2005
- English Translation of the IA filed on 04/29/2005
- Copy of the International Search Report filed on 04/29/2005
- Preliminary Amendments filed on 04/29/2005
- Copy of references cited in ISR filed on 04/29/2005
- U.S. Basic National Fees filed on 04/29/2005
- Priority Documents filed on 04/29/2005

Docketed: 2-6-06

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

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ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,618	PCT/EP03/12011	30187/41217

FORM PCT/DO/EO/905 (371 Formalities Notice)

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